

FILED
Clerk
District Court

FEB 20 2008

For The Northern Mariana Islands
By _____
(Deputy Clerk)

**UNITED STATES DISTRICT COURT
DISTRICT of the NORTHERN MARIANA ISLANDS**

Case No.: 08 - 00005

UNITED STATES of AMERICA,)
)
)
Plaintiff,)
)
)
v.)
)
)
GUO, ZHAN DONG,)
)
)
Defendant.)

**STIPULATION
AND WAIVER**

STIPULATION AND WAIVER

The United States and the defendant, GUO, ZHAN DONG, enter into the following stipulation for the purposes of enlarging the time within which an Indictment or Information must be filed in the above-referenced case:

1. Counsel for the defendant and the Attorney for the United States represent that beginning almost immediately after Defendant's arrest, they have been engaged in discussions about a possible pre-indictment plea to dispose of this case.

2. Counsel for the defendant and the Attorney for the United States represent that the government has provided a substantial amount of discovery that ordinarily it would not be required to produce unless and until an Indictment or Information were filed.

1 3. Counsel for Defendant represents that Defendant wishes to continue his pre-
2 indictment discussion with the government, that Defendant wishes to have additional time to
3 review discovery material as such material may have a bearing on such discussion, and that
4 Defendant wishes to have additional time to confer with counsel in connection with those
5 discussions.

6 4. Defendant, his Counsel, and the Attorney for the government agree and stipulate
7 that such an enlargement of time is appropriate, necessary, and that no prejudice will accrue to
8 the defendant as a result of such an enlargement. The parties further represent the enlargement
9 of time not undertaken for the purpose of delay.

10 5. The parties further stipulate, agree, and ask the Court for an enlargement of time
11 within which charges must be filed in this case by Indictment or Information up to and including
12 March 30, 2008.

13 6. Counsel for the defendant represents that he has fully advised of Defendant of his
14 right under the Speedy Trial Act, 18 U.S.C. § 3161, to have charges filed against him by
15 Indictment or Information within thirty (30) days from the date he initially appeared before the
16 court following his arrest. Defendant represents and asks the Court to find that he understands
17 that right and that he knowingly and voluntarily waives it for the reasons states in this Stipulation
18 and Waiver.

19 7. The parties further stipulate, agree, and ask the Court to find pursuant to 18
20 U.S.C. 3161(h)(8)(A) that this enlargement of time is in the defendant's best interest and that the
21 ends of justice served by allowing this enlargement of time outweigh any other interest that the
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23
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defendant or the general public may have in an Indictment or Information being filed within
thirty (30) days of the defendant's initial appearance before this Court following his arrest.

GUO ZHANDONG
GUO, ZHAN DONG 2-19-08
Defendant

LEONARDO M. BAPADAS
United States Attorney

Robert T. Torres
ROBERT T. TORRES
Counsel for Defendant

Craig N. Moore
CRAIG N. MOORE
Assistant United States Attorney

INTERPRETER'S CERTIFICATION

I certify that I orally translated the foregoing Stipulation and Waiver in its entirety for the
defendant from English into his native language. He indicated to me in his native language that
he understood its contents.

DATED: 2-19-08.

Norman Xing
QUALIFIED INTERPRETER

Norman Xing